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**AUG 23 2006**

**OFFICE OF PETITIONS**

In re Application of  
EARL H. BULLOCK,  
Application No. 10/800,793  
Filed: March 15, 2004  
Attorney Docket No. n/a

ON PETITION  
37 CFR 1.137(b)

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed July 25, 2006, to revive the above-identified application.

The petition is **GRANTED**.


The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action mailed August 25, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on November 26, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a continuing application under 37 CFR 1.53(b); (2) the petition fee of \$750 for small entity; and (3) a proper statement of unintentional delay.

This application is being revived solely for the purpose of continuity with continuing Application No. 29/258,860, filed May 1, 2006. The instant petition is construed as a request for the above-identified application to be expressly abandoned in favor of the previously filed continuing application. Since continuity has been established with the continuing application by this decision reviving the instant application, this application is again abandoned in favor of the aforementioned continuing application.

Telephone inquiries concerning this decision should be directed to Amelia Au at (571) 272-7414.

This application is being referred to Technology Center AU 3711 for processing of the instant petition as a request for express abandonment as of the mail date of this petition decision.

  
Amelia Au  
Petitions Examiner  
Office of Petitions